

MISC 12 - 0186

U.S. DISTRICT COURT
EASTERN DISTRICT
OF NEW YORK

2012 MAR -9 AM 11:17

FILED
CLERKUNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

In the Matter of the Application of

Oleg Vladimirovich Deripaska, for an order, pursuant to 28 U.S.C. § 1782, to obtain discovery from Arik Kislin for use in an action pending in the High Court of Justice, Queen's Bench Division, Commercial Court, styled *Michael Cherney v. Oleg Vladimirovich Deripaska*.

Misc. No. _____

**[PROPOSED] ORDER TO
SHOW CAUSE****WEINSTEIN, J.**

Upon the Declaration of Judd R. Spray, sworn to on March 8, 2012, the Declaration of Zena Mount-Namson, sworn to on March 8, 2012, and upon the accompanying Memorandum of Law, it is ORDERED, that Arik Kislin show cause before this Court, at Room 10B, United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York 11201, on March 21, 2012, at 11:00 o'clock in the AM ~~noon~~ thereof, or as soon thereafter as counsel may be heard, why an order should not issue pursuant to 28 U.S.C. § 1782 directing Mr. Kislin to produce documents pursuant to service of the Subpoena herein; and it is further

ORDERED that a copy of this Order To Show Cause, together with the papers upon which it is granted and the Subpoena herein, be served upon Arik Kislin and London counsel for Michael Cherney on or ~~before~~ March 9, 2012, by ~~o'clock in the noon thereof and that~~ service by Federal Express shall be deemed good and sufficient; and it is further *ordered that service on Kislin by hand shall be attempted as well. Any challenge related to the adequacy of service shall be directed to Judge Weinstein;*

ORDERED that papers in opposition to the Application, if any, shall be served by hand, facsimile, or e-mail upon Mr. Deripaska's counsel, Quinn Emanuel Urquhart & Sullivan, LLP,

- filed md

51 Madison Avenue, 22nd Floor, New York, New York, 10010, on or before March 16, 2012, at
4 o'clock in the PM, ~~noon~~ thereof.

Dated: New York, New York
March 9, 2012

s/John Gleeson

United States District Judge